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14 GURU INC., FIND MY SPECIALIST, INC.,  
SERIOUSNET, INC., RAVI K. LAHOTI, RAJ LAHOTI

15 **UNITED STATES DISTRICT COURT**

16 **CENTRAL DISTRICT OF CALIFORNIA**

17 TRAFFICSCHOOL.COM, INC., a  
18 California Corporation; DRIVERS ED  
19 DIRECT, LLC, a California limited  
liability company,

20 Plaintiffs,

21 v.

22 EDRIVER, INC., ONLINE GURU,  
23 INC., FIND MY SPECIALIST, INC.,  
24 and SERIOUSNET, INC., California  
corporations, RAVI K. LAHOTI, an  
individual; RAJ LAHOTI, an individual;  
DOES 1 through 10,

25 Defendants.

Case No: CV 06-7561 PA (CWx)

**DECLARATION OF DANIEL C.  
DECARLO IN SUPPORT OF  
STIPULATION AND JOINT  
REQUEST TO STAY PENDING  
DEADLINES**

JUDGE: Hon. Percy Anderson  
COURTROOM: 15

## DECLARATION OF DANIEL C. DECARLO

I, Daniel C. DeCarlo, declare as follows:

1. I am an attorney duly licensed to practice in all of the courts of the State of California and am a partner with Lewis Brisbois Bisgaard & Smith LLP, attorneys of record for Plaintiffs TRAFFICSCHOOL.COM, INC. and EDRIVER, Inc. in this matter. I submit this declaration in support of the parties' Stipulation and Joint Request to Stay Pending Deadlines. The facts set forth herein are of my own personal knowledge, and if sworn I could and would competently testify thereto.

2. The parties have been engaging in settlement negotiations for several weeks, have exchanged multiple settlement offers, and have reached an agreement in principle on key terms. The parties intend to work diligently to conclude their settlement negotiations in the near future and anticipate that prior to November 3, 2011, the parties will present to the Court a further stipulation outlining a proposed disposition of the case.

3. While there have been prior requests for a continuance in this case, those requests were made prior to the issuance of the Ninth Circuit's August 23, 2011 mandate and remand to this Court. No continuances have been requested before this Court after remand. The only requests (and their respective disposition) in this case have been as follows:

a. On May 14, 2007, Plaintiffs requested a continuance of the dates in the Court's Scheduling Order in connection with their Motion for Leave to File a Second Amended Complaint. (Doc. No. 28). While the Court granted the motion, it denied, without prejudice, Plaintiffs' request for a continuance on June 11, 2007. (Doc. No. 32).

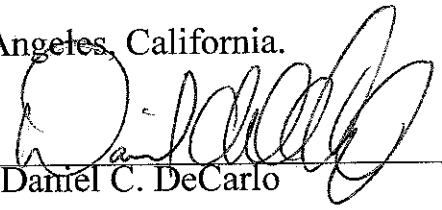
b. On June 28, 2007, Defendants filed an Ex Parte Application for an order extending the time to exchange rebuttal expert reports. (Doc. No. 37).

1 This Application was granted in part and denied in part on July 2, 2007 (Doc. No.  
2 39);

3 c. On September 4, 2007, Plaintiffs filed an Ex Parte Application  
4 for a continuance of the pretrial and trial dates. (Doc. No. 103). On September 5,  
5 2007, the Court denied the application. (Doc. No. 104).

6 d. On January 6, 2009, Defendants filed an Ex Parte Application  
7 to continue the hearing on Plaintiffs' motion for contempt. (Doc. No. 269). A  
8 stipulation to continue such hearing was subsequently filed on January 7, 2009.  
9 (Doc. No. 273). On January 7, 2009, the Court granted the parties' stipulation and  
10 continued the hearing. (Doc. No. 274).

11  
12  
13 I declare under penalty of perjury under the laws of the United States of  
14 America that the foregoing is true and correct and that this Declaration was  
15 executed on September 28, 2011, at Los Angeles, California.

16  
17   
Daniel C. DeCarlo